

EXHIBIT C

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

GGC INTERNATIONAL LIMITED,

Plaintiff,

-v-

ROGER VER,

Defendant.

Index No. 650439/2023

**NOTICE OF FILING OF
NOTICE OF REMOVAL**

PLEASE TAKE NOTICE that on February 24, 2023, Defendant Roger Ver in the above-captioned action removed this action from the Supreme Court of the State of New York, County of New York, to the United States District Court for the Southern District of New York, by filing a Notice of Removal in that Court. A copy of the Notice of Removal is annexed hereto as **Exhibit A**.

PLEASE TAKE FURTHER NOTICE that, pursuant to 28 U.S.C. § 1446(d), this Court may proceed no further unless and until the case is remanded.

DATED: February 24, 2022.

KELMAN PLLC

s/: Daniel J. Kelman

Daniel J. Kelman
1501 Broadway, Suite 2972
New York, New York 10036
Telephone: (212) 380-3818
daniel@kelman.law

Attorneys for Defendant Roger Ver.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

GGC INTERNATIONAL LIMITED,

Plaintiff,

v.

ROGER VER,

Defendant.

Case No. ____-cv-____ ()

NOTICE OF REMOVAL

PLEASE TAKE NOTICE that, pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant Roger Ver (“VER”), by and through its undersigned attorneys, hereby removes the above-captioned action from the Supreme Court of the State of New York, County of New York, where it is currently pending, to the United States District Court for the Southern District of New York.¹ The grounds for removal are as follows:

I. INTRODUCTION

1. On January 21, 2023, Plaintiff GGC INTERNATIONAL LIMITED, (“GGCI”), commenced a civil action in the Supreme Court of the State of New York, County of New York, by filing a Summons with notice (EXHIBIT A) naming VER as defendant. The action is captioned GGC International Limited v. Roger Ver, Index No. 650439/2023 (the “State Court Action”).

2. According to the Affirmation of Service upon VER, which Plaintiff filed in the State Court Action on February 14, 2023 (EXHIBIT B), Plaintiff purported to serve VER via FedEx and registered mail (return receipt requested), true and correct copies of the Summons with Notice and Notice of Electronic Filing (Mandatory Case) on January 23, 2023. Plaintiff purports

¹ By removing this action from the Supreme Court of the State of New York, County of New York, VER does not waive any defenses available to him.

to have received confirmation said documents were delivered to VER on January 26, 2023.

3. The notice contained in the Summons states the action seeks the following relief:

1) a judgment awarding Plaintiff money damages for Defendant's failure to settle cryptocurrency options transactions that expired on December 30, 2022, in an amount to be determined at trial but no less than \$20,869,788; and 2) an award of Plaintiff's costs, expenses, and reasonable attorneys' fees incurred in bringing this action.

II. **GROUND FOR REMOVAL**

4. This Notice of Removal is filed on behalf of Defendant pursuant to 28 U.S.C. §§ 1441 and 1446. This Court has original jurisdiction over this matter under 28 U.S.C. § 1332(a) because it is a civil action between parties of diverse citizenship and the amount in controversy exceeds the sum of \$75,000.

A. **Complete Diversity Exists Between the Parties**

5. *Citizenship of Defendant Roger Ver.* At the time the Summons was filed in the State Court Action, and as of the date of the filing of this Notice of Removal, Defendant VER is an individual residing at 858 Zenway Blvd. Unit 15-203, Frigate Bay St. Kitts and Nevis.

6. *Citizenship of Plaintiff GGC International Limited.* VER is informed and believes that, as of the time the Summons was filed in the State Court Action and at the time of the filing of this Notice of Removal, Defendant GGCI is a company headquartered and/or with a principal place of business in either: 1) Woodbourne Hall, Road Town VG 1110, British Virgin Islands, or 2) 250 Park Avenue South, 5th Floor, New York, New York 10013, but irrespective of which constitutes jurisdiction, none would destroy complete diversity of citizenship in this case.

B. **The Amount in Controversy Exceeds \$75,000**

7. Without admitting the validity of Plaintiff's claim, the amount in controversy exceeds \$75,000, based on the proposed judgment amount noticed by Plaintiff in the Summons,

which is an amount to be determined at trial but **no less** than \$20,869,788 in addition to an award of Plaintiff's costs, expenses, and reasonable attorneys' fees incurred in bringing this action.

III. REMOVAL IS TIMELY AND PROCEDURALLY PROPER

8. For purposes of removal, venue is proper in this district court, pursuant to 28 U.S.C. § 1441(a), because the state court where this lawsuit has been pending is located in this district.

9. True and correct copies of all process, pleadings, and orders served on the defendant in the State Court Action are attached hereto, as required by 28 U.S.C. § 1446(a).

10. After filing this Notice of Removal, VER will promptly serve written notice of this Notice of Removal on counsel for all adverse parties and file the same with the Clerk of the Supreme Court of the State of New York, County of New York in accordance with 28 U.S.C. § 1446(d).

11. If any questions arise regarding the propriety of the removal to this court, VER requests the opportunity to present a brief and be heard at oral argument in support of removal.

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WHEREFORE, Ver removes the above-captioned action from the Supreme Court of the State of New York, County of New York, to the United States District Court for the Southern District of New York.

DATED: New York, New York
February 24, 2023

KELMAN PLLC

By: s/: Daniel J. Kelman

Daniel J. Kelman
1501 Broadway, Suite 2972
New York, New York 10036
Telephone: (212) 380-3818
daniel@kelman.law

*Attorneys for Defendant Roger
Ver.*

Exhibit A

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

GGC INTERNATIONAL LIMITED, Plaintiff, - against - ROGER VER, Defendant.

Index No.

SUMMONS

Plaintiff designates New York County as the
place of trial

To the above-named Defendant:

YOU ARE HEREBY SUMMONED to answer the complaint in this action and to serve a copy of an answer on the plaintiff within twenty (20) days after the service of this summons, exclusive of the day of service (or within thirty (30) days after the service is complete, if this summons is not personally delivered to you within the State of New York); and in case of your failure to appear or answer, judgment will be taken against you by default for the relief demanded herein.

NOTICE: This action seeks the following relief: 1) a judgment awarding Plaintiff money damages for Defendant’s failure to settle cryptocurrency options transactions that expired on December 30, 2022, in an amount to be determined at trial but no less than \$20,869,788; and 2) an award of Plaintiff’s costs, expenses, and reasonable attorneys’ fees incurred in bringing this action.

In the case of your failure to appear or answer in this action, judgment will be taken against you by default for the relief demanded herein and the costs of this action.

Dated: New York, New York
January 23, 2023

Respectfully submitted,

MORRISON COHEN LLP

By: /s/ Jason Gottlieb
Jason Gottlieb
Michael Mix
909 Third Avenue
New York, NY 10022
(212) 735-8600

*Attorneys for Plaintiff GGC
International Limited*

TO: Roger Ver
858 Zenway Blvd, Unit 15-203
Frigate Bay
St. Kitts and Nevis

Exhibit B

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK

GGC INTERNATIONAL LIMITED,

Plaintiff,

v.

ROGER VER,

Defendant.

Index No. 650439/2023

AFFIRMATION OF SERVICE

MICHAEL MIX, an attorney duly admitted to practice in the Courts of the State of New York, affirms the following to be true under penalties of perjury pursuant to CPLR 2106:

1. I am not a party to this action. I am over 18 years of age, and reside in New York, New York.

2. On January 23, 2023, pursuant to Paragraphs 12(a)(1), 12(a)(iv), and 13(c) of the 2002 ISDA Master Agreement, and Paragraph 7(a)(v) of the Amended and Restated Master Confirmation for Virtual Currency Put and Call Options Transactions Dated as of 2020/06/22 between GGC International Limited and Roger Ver, I served, via FedEx and registered mail (return receipt requested), true and correct copies of the Summons with Notice and Notice of Electronic Filing (Mandatory Case) filed by Plaintiff GGC International Limited against Defendant Roger Ver, upon Defendant Roger Ver at the following address:

Roger Ver
858 Zenway Blvd.
Unit 15-203
Frigate Bay
St. Kitts and Nevis

3. I received confirmation from FedEx that the above-referenced documents were delivered to Roger Ver on January 26, 2023.

Dated: New York, New York
February 14, 2023

/s/ Michael Mix

MICHAEL MIX